

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6620

BILL NUMBER: SB 405

NOTE PREPARED: Jan 4, 2014

BILL AMENDED:

SUBJECT: Underground Utility Facilities.

FIRST AUTHOR: Sen. Yoder

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill amends the statute concerning the location and protection of underground utility facilities during excavation or demolition activities to change a reference to "hydroexcavators" to "hydraulic excavators" to more accurately describe equipment used by excavators. It provides that mechanized equipment may be used to perform an excavation within two feet of either side of the outer limits of a facility if: (1) the facility is located or contained in or under pavement; or (2) there is pavement on or over the area extending up to two feet from the outer limits of the facility; notwithstanding the prohibition in existing law on using mechanized equipment when the clearance outside the outer limits of a facility is less than two feet.

The bill provides that information concerning the location of a facility provided by the facility's operator must include the approximate: (1) depth below the surface; or (2) elevation; of the facility, as determined using a method or technology approved by the board of directors of the Indiana Underground Plant Protection Service. It provides that if an excavator determines that the exact location of a facility cannot be determined: (1) the excavator may submit a request through the Underground Plant Protection Service for the facility's operator to provide onsite assistance in locating the facility; and (2) the operator shall, not later than two full working days after the date the request is made, provide at the site of the excavation or demolition the assistance requested. The bill also makes technical changes.

Effective Date: July 1, 2014.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: The bill's requirements concerning utility operators could increase workload for municipal utilities. This bill requires operators of underground utility facilities to include information concerning the approximate depth below the surface or elevation of the underground facility to those responsible for excavation or demolition. This information would be in addition to the current requirement to provide the approximate location and a description of all the operator's underground facilities that may be damaged as a result of the excavation or demolition.

The bill also provides that after this information is received and it is still difficult to determine the exact location of an underground facility, utility operators may be requested to provide onsite assistance in locating the underground facility. Utility operators would have two working days to provide the assistance requested after receiving notification from the Underground Plant Protection Service.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Municipal utilities.

Information Sources:

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